

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA,

v.

JOSIAH GARCIA,

Defendant.

Case No. 3:23-mj-2033

Magistrate Judge Jeffery S. Frensley

**ORDER**

On the basis of Defendant's affidavit in this cause, the Court determines that Defendant:

☐ is financially able to employ counsel and, therefore, denies his application for appointment of counsel at government expense.

☒ is financially unable to employ counsel and appoints the Office of the Federal Public Defender to represent him.

☒ is financially unable to pay the fee of any witness and pursuant to Rule 17(b), of the Federal Rules of Criminal Procedure, the Clerk shall issue a subpoena for any witness, PROVIDED that Defendant and his counsel shall submit subpoenas only for those witnesses whose presence is necessary to present an adequate defense to the charge or charges.

☐ Upon Motion of the Government, the Court may order repayment or partial repayment from Defendant for the attorney and witness fees for these services should it appear Defendant has such ability at a later time.

It is so ORDERED.



JEFFERY S. FRENSLEY

United States Magistrate Judge